

THE CITY COUNCIL/RDA MET IN REGULAR SESSION ON THE 15TH DAY OF DECEMBER 2009 AT 6:30 P.M. AT THE CITY HALL COUNCIL CHAMBERS, S 608 HEBER AVENUE, CALEXICO, CA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CLOSED SESSION-5:30 P.M.

CALL TO ORDER.

The Closed Session portion of the agenda was called to order at 5:30 p.m.

ATTENDANCE.

Mayor:	David B. Ouzan
Mayor Pro Tem:	John Moreno
Councilman:	Luis J. Castro
Councilman:	Daniel Romero
Councilman:	Guillermo Hermosillo

The City Council/RDA convened into Closed Session at 5:30 p.m. to discuss the following:

1. Conference with Legal Counsel-Existing Litigation (Subdivision (a) of Section 54956.9) 5 cases.
 - A. Citizens for Honesty and Integrity in Calexico v. City of Calexico (ECU 05244)
 - B. Citizens for Responsible Equitable Environmental Development v. City of Calexico (ECU 05535)
 - C. Chico v. Heffernan et. al (ECU 05585)
 - D. Orozco v. City of Calexico
 - E. Victoria Place v. Calexico Case No. ECU 04890
2. Public Employee Performance Evaluation
Title" City Manager"
3. Conference with Legal Counsel-Anticipated Litigation
Initiation of litigation pursuant to Gov. Code Section 54956.9 © 1 case

The City Council reconvened from Closed Session at 6:30 p.m. They discussed Items No. 1 a-d and direction was given no reportable action was taken. Items 1-e and Items 2 & 3 will be discussed after tonight's meeting.

REGULAR MEETING-6:30 P.M.

CALL TO ORDER.

The meeting was called to order at 6:30 p.m. by Mayor Ouzan and those present were led in the Pledge of Allegiance.

ATTENDANCE. (All Council members were present: Romero, Hermosillo, Ouzan, Moreno, Castro)

APPROVAL OF AGENDA.

A motion was made by Mayor Pro Tem Moreno, seconded by Councilman Hermosillo and passed unanimously to approve the agenda as presented.

ANNOUNCEMENTS/PUBLIC COMMENTS.

Mr. Bill Hodge, 400 Clarke, Chairman of the Arts Commission and concerned citizen, stated he will be running for City Council on 2010. He asked that Chief of Police hold public hearings to inform people about the events at the Police Department. The Chief and Council need to do some damage control. He stated that the Police Department is high quality and they need to convince people that proper police procedures are being followed and that morale in the Police Department is good.

GENERAL COMMENTS BY CITY COUNCIL MEMBERS.

Mayor Pro Tem Moreno wished everyone present safe and happy holidays. He congratulated those involved in putting together the Christmas parade.

Councilman Hermosillo wished everyone happy holidays. He stated the newspaper has been talking about air quality and asked for information on this matter. He stated that several years ago immigration would send back vehicles that crossed the border and were polluting the air. He asked the City Manager to meet with the federal government regarding this issue.

Councilman Romero wished everyone happy holidays and extended his apology for not attending the employees banquet as he was sick with the flu. He stated he would like to see improvements to Cole Rd. between Andrade and Bowker. Mr. Nick Fenley, General Services Director stated they are working on improving Cole Rd. from Highway 111 to the railroad tracks and also Bowker to Highway 98 next year they will improve the section Councilman Romero is talking about. Councilman Romero asked if a three way stop sign could be installed at Cole and M.L. King. Mr. Fenley informed he will have a traffic study done.

Mayor Ouzan wished everyone happy holidays. He stated this has been a very challenging year economically for everyone. He thanked the Chamber of Commerce for a great Christmas parade and the Police Department for controlling traffic.

PRESENTATIONS-CALEXICO NEIGHBORHOOD HOUSE CLEAN UP AND GRAFFITI PROJECT BY MR. RICARDO ORTEGA, DIRECTOR.

Mr. Ortega gave a report on the women's shelter. He thanked Mr. Nick Fenley who assisted them with the graffiti clean up. He thanked the Chief of Police for his assistance in their graffiti clean up. Mayor Pro Tem Moreno thanked Mr. Ortega for allowing the students to be part of a community service. Mr. Ortega stated they want to replace the existing women's shelter.

CONSENT AGENDA.

A motion was made by Mayor Pro Tem Moreno, seconded by Councilman Hermosillo and passed unanimously to approve the Consent Agenda consisting of the following: Approved City Council minutes for December 1, 2009; Adopted resolution authorizing the City Manager to endorse agreement for Statewide Prop 84 Park Grant Funds; Authorized Director of Utility Services to file Notice of Completion for the Eastside Water Distribution and Transmission Main Line project; Authorized City Manager to sign Tetra Tech, Inc. proposal for structural and geotechnical engineering services for code update to the

plans and specifications for the Wastewater Treatment Plant Upgrade project; Adopted the IRS 2010 standard mileage rate of \$0.50 per mile; Approved budget amendment resolution for Asset Forfeiture Fund #218; Approved out of state travel for Officer Isaias Navarro to attend a less lethal recertification course in Scottsdale, AZ at Taser Co. headquarters on January 11 through 14, 2010.

REQUEST CITY COUNCIL APPROVAL TO FILL (1) BUDGETED TEMPORARY/PART TIME OFFICE ASSISTANT.

This item was pulled from the agenda.

REQUEST CITY COUNCIL APPROVAL TO FILL (2) BUDGETED POLICE OFFICER VACANCIES.

This item was pulled from the agenda.

DISCUSSION RE: CHARTER CITIES.

City Manager gave a brief report on general law cities v. charter cities. The charter allows greater authority to a city. A power point presentation was given to explain how charter cities are formed. City Manager stated he will follow up on this with Ms. Katherine Hill from the League of California Cities.

COUNCILMAN HERMOSILLO'S APPOINTMENTS TO THE ARTS COMMISSION, BEAUTIFICATION COMMISSION, ECONOMIC DEVELOPMENT COMMISSION, BUSINESS IMPROVEMENT DISTRICT, PERSONNEL COMMISSION, PLANNING COMMISSION, POLICE COMMISSION AND RECREATION COMMISSION.

Councilman Hermosillo made the following appointment:

Arts Commission – Hildy Carrillo-Rivera
Beautification Commission – Mario Alvarado
Economic Development Commission – Eric Ortega
Business Improvement District – Eduardo Lopez
Planning Commission – Eduardo Lopez
Police Commission – Lorenzo Calderon
Recreation Commission – Yolanda Bernal
Library Board – Korina Tabarez

MAYOR PRO TEM MORENO'S APPOINTMENTS TO BEAUTIFICATION, POLICE AND PERSONNEL COMMISSIONS.

Mayor Pro Tem Moreno made the following appointments:

Beautification Commission – Armando Real
Police Commission – Fernando Garcia
Personnel Commission- Dr. Gilbert Mendez

COUNCILMAN ROMERO'S APPOINTMENT TO THE PERSONNEL COMMISSION.

Councilman Romero did not have an appointment at this time.

AFFIRMATION TO COUNCILMAN CASTRO'S APPOINTEE TO THE PLANNING COMMISSION.

Councilman Castro reaffirmed his appointment of Ulises Cardenas to the Planning Commission.

RESOLUTION TO AMEND TRAVEL AND EXPENSE REIMBURSEMENT POLICIES.

A motion was made by Mayor Ouzan, seconded by Councilman Hermosillo and passed unanimously to amend the travel and expense reimbursement policies.

PUBLIC HEARING-CONSIDER APPEAL TO THE DENIAL BY THE CITY OF CALEXICO PLANNING COMMISSION OF CUP 2009-04 PLAZOLA AND SONS.

Councilman Hermosillo abstained from participating on this item because he was a Planning Commissioner when this item was discussed.

City Manager gave a brief background of this project.

Mr. Ricardo Plazola stated he is trying to open a bar that is located close to homes and the zoning of the property is commercial-industrial. There is a gas station close by that sells liquor until 2:00 a.m. and there is a restaurant close by that also sells liquor. He has signatures from surrounding property owners that have no problem with him opening a bar.

Mr. Tony Tirado, resident of Calexico asked the Council to overturn the decision of the Planning Commission regarding Plazola's project. If they look at Harold, Sherman and Emerson there are many businesses in that area.

Chief of Police provided photos of the area they are talking about. He stated the zoning is correct but this use is not compatible to the area. It is difficult to have a bar close to residences. They need to be able to protect present and future renters in the surrounding area.

A motion was made by Mayor Ouzan, seconded by Councilman Romero to allow Mr. Plazola to establish a bar within an existing commercial building. Voting was as follows:

AYES:	Romero, Ouzan, Moreno
NOES:	Castro
ABSTAINED:	Hermosillo

INFORMATION ITEMS.

The City Council acknowledged receipt of the following information items: Information regarding the City Manager's appointment, management and removal authority for all department heads; recreation commission minutes for October 21, 2009.

CLOSED SESSION.

The City Council convened into Closed Session at 7:28 p.m. to discuss the remaining Closed Session items.

The City Council reconvened from Closed Session at 8:15 p.m. and direction was given, no reportable action taken.

ADJOURNMENT.

There being no further business the meeting adjourned at 8:15 p.m.

David B. Ouzan, Mayor

Attest:

Lourdes Cordova, City Clerk